

# **SOUTH DAKOTA DEPARTMENT OF EDUCATION SPECIAL EDUCATION PROGRAMS**

## **Aberdeen School District Continuous Improvement Monitoring Process Report 2005-2006**

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**Dates of On Site Visit:** December 12-15, 2005

**Date of Report:** January 5, 2006

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

<b>Promising Practice</b>	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
<b>Meets Requirements</b>	The district/agency consistently meets this requirement.
<b>Needs Improvement</b>	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
<b>Out of Compliance</b>	The district/agency consistently does not meet this requirement.
<b>Not applicable</b>	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

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### **Principle 1 – General Supervision**

General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- District instructional staff information
- Suspension and expulsion information
- Statewide assessment information
- Enrollment information
- Placement alternatives

- Disabling conditions
- Exiting information
- Complaint information
- Student progress data
- Parent/teacher surveys
- Private school information
- Teacher analysis information
- Home school information
- Comprehensive plan
- Comprehensive system of personnel development
- District annual needs assessment
- Student assistance team (SAT): referral vs. non referral information
- Budget information
- Dial screening information
- Pre-school screening
- Birth-three information
- Special needs team (SNT) conference logs
- File reviews
- State report card

### **Meets requirements**

The steering committee concluded the Aberdeen School District has identified systems for receiving documented referrals. The school district has surveyed groups involved in the child find activities and reviewed files. The Aberdeen School District enters into an agreement with Head Start and Even Start which provides guidance on identification of students with disabilities in the district. The school district also works with the birth – three programs to identify children with disabilities with on going activities. Preschool screenings for children three-five years old are held monthly September through May. The school district policies and procedures address child find procedures within the district. On-going documentation of these activities and the response to these activities will now be kept in a data base system at the district office of special education.

The steering committee concluded the Aberdeen School District meets the needs of all students in the referral process. The district has a student assistance team which meets to help students with pre-referral assistance if they are having academic, behavioral, attendance, or social concerns. The team includes the following permanent members: two classroom teachers, an administrator, and a counselor. The SAT coordinator may also request others, including special education teachers, school psychologists or appropriate school or community based services to join the team when a specific student referral is being considered. The team meets and discusses the student's strengths and needs and then plans interventions to be implemented in the general classroom. If the team feels the student is not making adequate progress, a referral for evaluations will be made. Only 24% of the referrals going to the SAT team required further evaluation.

The steering committee concluded the district provides for children with disabilities that are eligible for special education and are voluntarily enrolled in private schools by their parents to participate in related services which include speech and language services within the private school setting.

The steering committee concluded the Aberdeen School District uses relevant school data provided by the state report card and the director of educational services to analyze and review their progress toward the state performance goals and indicators. All teachers, including special education teachers, are involved in reviewing and analyzing data to help them realize where the student's scores are in relation to the advanced and proficiency levels of accountability

The steering committee concluded the district attempts to employ and supervise only fully certified personnel to work with children with disabilities. A large majority of the staff are fully certified. All personnel have many opportunities for on-going training and staff development opportunities to meet the needs of their students

### **Needs improvement**

The steering committee concluded the district needs to continue to address professional development. Sixty-seven percent of the staff felt that they had adequate training, supplements and supports to serve students on IEPs. Only forty-seven percent of teachers felt they had input into the identification of staff development needs and planning of activities related to students with disabilities. The Aberdeen School District was driven by curriculum mapping this year and the special educators have also been included in adopting general curriculum which is aligned to state standards. Special education has been included with the general education population in all in-service training. Opportunities for professional leave continue in the Aberdeen District.

## **Validation Results**

### **Promising practice**

Through staff interview, file review and observations the monitoring team concluded the Aberdeen School District provides a variety of program options to individual needs within the district. The Transition Learning Center is a collaborative effort between Aberdeen Central High School and Presentation College to help transition age students to adulthood. This program is in its first year and is designed to offer an age appropriate setting to teach 18-21 year old students daily living, social, work and leisure skills. Students have the opportunity to enroll in college classes and receive dual credit through the Transition Learning Center. The Opportunities Room at Holgate Middle School provides programming for students with behavioral concerns and behavioral supports when reintegrated into the general classroom. The primary emphasis of the Opportunities Room is reintegrating students back into the general classroom with whatever support the students need to encourage positive reintegration.

The district also has in place a two tiered pre-referral system district wide that encourages early interventions prior to referral for special education evaluation. This pre-referral system results in only 24% of the students referred to the teacher assistance teams (TAT) resulting in referral to special education evaluation. The TAT attempts a variety of remediation services prior to referring the student to the special needs teams (SNT) which considers initiating the special education evaluation process. The TAT and SNT teams meet twice a month to review referrals. The TAT considers a variety of interventions including instructional tutoring at Northern State University Reading Clinic which aligns their instructional program with classroom practices while working on phonemic awareness, phonics, fluency, vocabulary, guided reading and writing skills.

The district has also addressed its need to reduce the number of students who drop out of school. As a result, the district has two specific programs in place to address this need. One program, Independent Learning Center, is located within the premises of Central High School and is an alternative program for students between ages 16-21. This program provides alternative schedule opportunities to student allow students to earn a high school diploma. The Independent Learning Center is in its eighth year. The second program is described above, the Transitional Learning Center. This program is driven by each student's Individualized Education Program.

### **Meets requirements**

Through teacher interview and student file review the monitoring team validates all findings identified as meeting requirements by the steering committee under the provision general supervision.

### **Needs improvement**

Through interview and file reviews with staff the monitoring team concurs with the steering committee finding as needing improvement under the provision general supervision. The steering committee identified the need for continued professional development.

## **Principle 2 – Free Appropriate Public Education**

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- State Data Tables
- Number of students screened
- Team conference Logs
- Budget information
- Surveys
- File reviews
- Comprehensive plans
- SAT information

#### **Meets requirements**

The steering committee concluded current practices and past reviews from the state education monitoring demonstrate the Aberdeen School District provides a free and appropriate education to all children with disabilities who reside within the boundaries of the district. The Aberdeen School District ensures that eligible children with disabilities who have been suspended or expelled from school for more than ten cumulative school days are being provided with a free and appropriate education. The administrative and special education staffs have been trained in the rules and have developed a plan for the child before the ten days have been completed.

### **Validation Results**

#### **Meets requirements**

Through file review and staff interview the monitoring team concurs with the steering committee findings as meeting requirements under the provision free and appropriate public education.

## **Principle 3 – Appropriate Evaluation**

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- State data tables
- Teacher file reviews
- Surveys
- Comprehensive plan
- SAT information
- Team logs
- Tests currently used in the district
- Staff development
- List of interpreters/signers in the district
- Number of placement committee overrides

### **Meets requirements**

The steering committee concluded the Aberdeen School District has identified policies and procedures for proper reevaluation requirements and procedural requirements are adhered to in accordance with state and federal laws. The file reviews indicate that the Aberdeen School District is providing appropriate written notice and obtaining informed consent from parents before assessments are administered.

Ninety-nine percent of evaluations were completed within the required time line. The district uses a variety of assessment instruments, including functional assessments to determine eligibility and the need for special education and related services.

One hundred percent of the file reviews contained a multidisciplinary team report, but each report did not document all of the required content instead it referred to the psycho-educational report.

## **Validation Results**

### **Meets requirements**

Through file review the monitoring team concurs with the steering committee findings as meeting requirement under the provision of appropriate evaluation. The district provides written prior notice, obtains consent prior to evaluation, and multidisciplinary team reports are consistently used when determining eligibility.

### **Needs improvement**

Through file review the monitoring team determined the district needs to consistently document dates on all reports. It was difficult for the team to confirm if deadlines were consistently met as the district did not routinely document the date/s evaluations and/or reports were completed. The team found this concern across all disciplines including psycho-educational, functional and transition evaluations and/or reports.

### **Out of compliance**

**ARSD 24:05:25:04. Evaluation procedures:** School districts shall ensure, at a minimum, that evaluation procedures include the following: A variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents, that may assist in determining whether the child is a child with a disability; and the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

**ARSD 24:05:22:03. Certified child.** A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must

be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

Through file review the monitoring team determined the district does not consistently conduct a comprehensive evaluation, including functional, sufficient to determine eligibility. As a result, students identified on the child count as a certified child in need of special education or special education and related services do not have the evaluations to support the disability category. The monitoring team determined six such cases through the file review process.

Student 1: Student identified on 2004 child count under the disability category 505 does not have the student's evaluation results for behavior tests summarized in the report. Therefore there is no data in the file to support the disability category.

Student 2: Student identified on 2004 child count under the disability category 525. The ability and achievement scores do not support the disability category of 525. The student needed a critical score of 72 in the achievement scores to be eligible under this category but the student's achievement scores were above the critical score. The psycho-educational report also stated the student did not qualify under this category.

Student 3: Student identified on 2004 child count under the disability category 510. This student's achievement and adaptive scores do not support the category of 510 nor does the student's IEP reflect the educational needs of a student under this category. The student's one and only goal relates to adding, subtracting, multiplying and dividing fractions with like denominators.

Student 4: Student identified on 2004 child count under the disability category 555. According to the 11/2005 multidisciplinary team report the student is eligible under 505. This student's behavioral scores do not support either disability category. According to the psycho-educational report the Conners scores were in the average range at school and borderline significant at home for attention. The BASC scores were within the average range for school and were at risk at home. The functional information states student is "pleasant to have in class but has a hard time turning in assignments." "...behaviors are typically age-appropriate, but occasionally demonstrate inappropriate behaviors. This is usually seen...in the hallway between classes when student engages in pushing or talking loudly with other students."

Student 5: Student identified on 2004 child count under the disability category 525. This student's multidisciplinary team used the override procedure in March 2005 using the evaluation scores of 2002 and determined the student was eligible under the 525 category. In May of 2005 additional evaluations were administered in area of behavior even through the March 2005 IEP indicates behavior does not impede learning. The team met in May and determined the student was eligible for special education services under the category 555 but there is no evidence the team determined if the evaluation results impacted the current IEP.

Student 6: Student was identified on 2004 child count under the disability category 505. This student was evaluated in 11/15/03 in the areas of ability and achievement only. These evaluations are not sufficiently comprehensive to support the disability category 505.

**ARSD 24:05:24.01:31. IEP team override.** If the IEP team determines that a student is eligible for special education or special education and related services because the student has a disability and needs special education even though the student does not meet specific requirements in this chapter, the IEP team must include documentation in the record as follows: (1) The record must contain documents that explain why the standards and procedures that are used with the majority of students resulted in invalid findings for this student; (2) The record must indicate what objective data were used to conclude that the student has a disability and is in need of special education. These data may include test scores, work products, self-reports, teacher comments, previous tests, observational data, and other developmental data; (3) Since the eligibility decision is based on a synthesis of multiple data and not all data are equally valid, the team must indicate which data had the greatest relative importance for the eligibility decision; and (4) The IEP team override decision must include a sign-off by the IEP team members agreeing to the

override decision. If one or more IEP team members disagree with the override decision, the record must include a statement of why they disagree signed by those members.

Through file review the monitoring team determined the district does not follow the override procedures when determining eligibility. The override committees did not consistently invalidate the test results as part of the procedures. Sometimes the override procedure was used due to the lack of a comprehensive evaluation during the most recent evaluation process and/or previous evaluations. Twelve of twelve override files reviewed resulted in students not meeting the eligibility criteria even when the override procedure was implemented.

Student 1: Student identified on 2004 child count under the disability category 555. Documentation states student was referred for auditory processing evaluation in 2002. The auditory processing evaluation report states a comprehensive assessment was not completed but the testing completed indicates the student was well in the normal range. Even if the student has auditory processing difficulties it does not support a 555 disability category as it is not a medical condition. The override states “the test results are valid however student has difficulty with tests, organization... short term memory and hearing loss.”

Student 2: Student identified on 2004 child count under the disability category 555. This student was not eligible for special education services under either 525 or 510 disability category as evaluation results did not support either category. Feb. 7, 2005 conference notes recommend “override”. But there was no override documentation found in the student file. According to the Jan. 05 prior notice permission to evaluate and in the psycho-educational report there is no evidence the team evaluated in the area of 555.

Student 3: Student identified on 2004 child count under the disability category 525. The eligibility team implemented the override procedure to determine Sept. 2005 eligibility by bringing forth 2002 evaluation results. In 2002 the student’s eligibility team had used the override procedure to determine eligibility because the scores did not support a disability category.

Student 4: In 2002 the evaluation process was not sufficiently comprehensive to support the disability category of 510 (no adaptive/social evaluations were administered or reported). The student was found to be eligible through override procedures. The student was placed on the 2004 child count again under the category of 510. The student file continues to lack appropriate evaluation documentation to support the potential disability of 510.

Student 5: Student identified on 2004 child count under the disability category 525. The placement committee did not sufficiently invalidate September 2004 evaluation results through the override procedures.

Student 6: Student identified on 2004 child count under the disability category 525. The placement committee did not sufficiently invalidate April 2003 evaluation results through the override procedures.

Student 7: Student’s current evaluation results (1/04/05) do not support the category 525 and the override procedure used by the multidisciplinary team does not sufficiently invalidate the test results.

Student 8: Student identified on 2004 child count under the disability category 525. The 11/08/03 placement committee did not sufficiently invalidate October 2003 evaluation results through the override procedures.

Student 9: Student identified on 2004 child count under the disability category 525. The 4/14/05 placement committee did not sufficiently invalidate evaluation results through the override procedures.

Student 10: Student identified on 2004 child count under the disability category 525. The 5/7/03 placement committee did not sufficiently invalidate April 2003 evaluation results through the override procedures.

Student 11: Student identified on 2004 child count under the disability category 525. The 3/26/04 placement committee did not sufficiently invalidate April 2003 evaluation results through the override procedures.

Student 12: Student identified on 2004 child count under the disability category 525. The 4/30/03 placement committee did not sufficiently invalidate April 2003 evaluation results through the override procedures.

## **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- State data tables
- Teacher file reviews
- Surveys
- Comprehensive plan
- Parental rights document
- Consent and prior notice forms
- Public awareness information
- FERPA disclosure
- SAT logs

#### **Meets requirements**

The steering committee concluded the district meets requirement under the provision procedural safeguards. A parent's rights brochure has been sent home with every prior notice and consent for evaluation. It is also addressed at the IEP meeting and initialed on the front page when asked if they received a copy or if they would like another one. A procedure will be put into place to make sure they are now offered it annually. Parents have been fully informed in their native language or another mode of communication relevant to the activity for which consent is sought. One hundred percent of parents surveyed indicated information from the school was written in their own language. The district's comprehensive plan outlines all requirements on the issue of surrogate parents. The district has followed these procedures for the appointment of surrogate parents, when needed. Information will be disseminated amongst the special educators to review the procedures.

The district's comprehensive plan outlines the procedures for the maintenance of special education records. The Aberdeen School District follows policies and procedures outlined by the state for responding to complaints. The Aberdeen School District has not had a request for a due process hearing within the past five years. All procedures for due process are addressed in the district's comprehensive plan.

### **Validation Results**

#### **Meets requirements**

Through file review the monitoring team concurs with the steering committee findings under the provision procedural safeguards.

#### **Needs improvement**

Through file review the monitoring team determined the district needs improvement in the area of ensuring all procedural safeguards are followed for those students enrolled in the New Beginnings program. Presently the social worker is giving written consent for evaluation and for placement for



special education or special education and related services. State requirements mandate that the district ensure a person selected as a surrogate has no interest that conflicts with the interest of the child and may not be an employee of a public agency that is involved in the education or care of the child. A social worker's interest therefore reflects a conflict of interest.

## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- State tables
- Comprehensive plan
- Teacher file reviews
- Progress data
- Surveys
- FERA information
- IEPs
- Consent for evaluation form

### **Meets requirements**

The steering committee concluded the district meets requirement under the provision individualized education program in the areas of written prior notice, appropriate team membership, annual review, IEP content, transition and providing services for all students determine to be eligible and in need of special education or special education and related services. The school district's written prior notice form includes the required content and is sent to parents five days prior to the meeting unless the parent waives the five-day notice requirement.

The district's IEP form includes all of the required content. Functional assessment was addressed in the present levels of performance and goals were linked to the present levels of performance. IEPs had measurable short term objectives that included conditions, performance, and criteria. All IEPs are written based on the individual needs of each student. High school files reviewed showed the graduation requirement to be addressed at least one year in advance. The files reviewed documented the student's transfer of rights one year prior to turning eighteen years old.

Student centered life planning outcomes for employment and independent living were documented in files reviewed of students turning 16 years old. At the IEP meeting, the needs of the student for post-secondary activities are discussed and documented on the IEP. The district actively collaborates with agencies such as, Vocational Rehabilitation, Drive Smart, Opportunities for Independent Living (OIL), Dakota Link and the Adjustment Training Center. All students in the ninth grade are involved in the South Dakota Career Assessment Program and start their Career Portfolios. In tenth grade all students are involved in the Sophomore Career Fair and the PLAN assessment. All students in the eleventh grade are involved in Post-High Planning Day and take the ASVAB (Armed Services Vocational Aptitude Battery). In the fall of 2005, the Aberdeen School District worked in collaboration with Presentation College to start a Transition Learning Campus. Students ages 18-21 are located at the college site and take classes

through the college or through the school district. When the student is not attending class they will be working on campus or in the community through a volunteer basis or through Project Skills. One half of the students are also living on campus.

The district's comprehensive plan includes policies and procedures to ensure an appropriate IEP is developed and in effect for each eligible student. File reviews and surveys show strong support in this area.

## **Validation Results**

### **Meets requirements**

Through file review the monitoring team concurs with most of the steering committee findings under individualized education program as meeting requirement. The district consistently has appropriate team membership; annual IEP reviews were conducted within the required timelines; prior notices contain the necessary information; graduation, transfer of rights and transition are addressed according to required timelines.

### **Needs improvement**

Through file review the monitoring determined the district does not consistently address behavior issues within the context of the individualized education program. For example, when a student's suspected disability was in the area of other health impaired and the student was evaluated and determined to be eligible under the category, the teams did not consistently address the behavior/s in the present level of performance, through goals and/or under the consideration of special factors. If the disability of other health impaired (ADD/ADHD especially) is not affecting the student's performance in the general curriculum or is not impeding learning the student may not be need of special education or special education and related services.

### **Out of compliance**

**ARSD 24:05:27:01.03. Content of individualized education program** Each student's individualized education program shall include:(1) A statement of the student's present levels of educational performance, including a statement of measurable annual goals, including benchmarks or short-term objectives, related to meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum.

Through a review of 95 student records, the monitoring team determined present levels of performance did not consistently contain specific skills that addressed the student's strengths and needs that linked to functional evaluation. Annual goals did not consistently specify skills the student could reasonably accomplish within a 12 month period. For example, goals which state "...will learn and apply study skills for successful class performance", "...will achieve the highest functioning level of fine motor skills", "will use self-advocacy and coping skill when frustrated by tests or assignments in 4 out of 5 observed opportunities" or "when presented with an assignment, student will develop and improve basic reading skills with 85% accuracy in 4 of 5 trials".

### **ARSD 24:05:27:01.03. Content of individualized education program**

Each student's individualized education program shall include: An explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class and in activities described in this section.

Through a review of 95 student records, the monitoring team determined the justification for placement did not consistently include an explanation of the extent to which the student will not participate with non-disabled peers in the general classroom. For example, the justification statement for a student who goes to the resource room for 14.5 hours per week minutes states, "General education with modifications

rejected. Student in not getting his/her needs met or experiencing success. Resource Room Placement accepted. Student needs step by step instruction at his/her level.” and “Resource Room Accepted; can meet goals in this setting” do not explain the extent the student will not participate with non-disabled students.

**24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include: A statement of the special education and related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student:

Through a review of 95 student files configuration of services did not consistently describe the special education and related services and supplementary aids and services to be provided to the student. “12.5 hours in the resource room” does not state what specific services will be provided and for what length of time per day or what specific services will be provided.

## **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- Data tables
- File reviews
- Surveys
- General curriculum information
- In-service information
- Comprehensive plan
- Preschool information
- NCLB requirements

#### **Meets requirements**

The steering committee concluded the district ensures student needs are met in the least restrictive environment. Least restrictive meaning the environment in which students can be successful by providing curriculum to show growth to the best of their ability in state-wide assessments. All placements of students are done on an individual basis by the IEP team.

### **Validation Results**

#### **Meets requirements**

Through file review, the monitoring team concurs with the steering committee findings as meeting requirement under the provision least restrictive environment.